

# Notice of Allowability

## Application No.

10/659,138

## Examiner

Sun J. Lin

## Applicant(s)

BALAJI ET AL.

## Art Unit

2825

### -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments & Remarks filed on 10/11/2005.
2. ☒ The allowed claim(s) is/are 1-5 and 7-20, renumbered (37 CFR 1.126).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicants' attorney *Christopher P. Maiorana* gave authorization for this examiner's amendment on October 26, 2005. The application has been amended, based on applicants' amendments filed on 10/17/2005, as follows:

- Claim 1, line 2, delete **—the steps of—**.
- Claim 1, line 9, delete **—and—**.
- Claim 1, line 12, delete **—step—**.
- Claim 2, line 2, delete **—the step of—**.
- Claim 3, line 2, delete **—the step of—**.
- Claim 3, line 3 – 4, change "after step" to **—prior to—**.
- Claim 4, line 2, delete **—the step of—**.
- Claim 5, line 2, delete **—the step of—**.
- Claim 7, line 2, delete **—the step of—**.
- Claim 8, line 2, delete **—the step of—**.
- Claim 9, line 2, delete **—the step of—**.
- Claim 10, line 2, delete **—the step of—**.

### ***Reasons for Allowance***

Claims 1 – 5 and 7 – 20 are allowed over the prior art of record. An examiner's statement of reasons for allowance is given in the following:

Claims 1 – 5 and 7 – 10 are allowed because independent Claim 1 has been amended to include allowable subject matter, which is originally recited in dependent Claim 6, as explained in the Office Action mailed to the applicants on 07/27/2005. Claim 20 is allowed due to the similar amendment and reasons as explained for Claim 1.

Claims 11– 19 are allowed due to allowable subject matter as explained in the Office Action mailed to the applicants on 07/27/2005.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sun J. Lin whose telephone number is (571) 272 – 1899. The examiner can normally be reached on Monday to Friday from 9:30am to 6:30pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Sun J. Lin  
Patent Examiner  
Art Unit 2825  
October 31, 2005

A handwritten signature in black ink, appearing to read "Sun J. Lin", written over the printed name and title.